

RESOLUTION NO. _____, SERIES 2008

A RESOLUTION REQUESTING THE LOUISVILLE METRO PLANNING COMMISSION, WITH THE SUPPORT AND ADVICE OF THE DEPARTMENT OF CODES AND REGULATIONS, DIVISION OF PLANNING AND DESIGN SERVICES, TO HOLD A PUBLIC HEARING AND MAKE A RECOMMENDATION ON AMENDMENTS TO THE LAND DEVELOPMENT CODE RELATED TO THE DEFINITIONS OF “DWELLING” AND “DWELLING UNIT.”

Sponsored By: Councilman James Peden

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (“Council”) has become aware of the prevalence of the creation of useable residential space including sleeping quarters on property zoned for single-family residential use, and

WHEREAS, the Council believes that such conversions take a variety of forms, including the conversion of attached and detached garages, the conversion of other accessory structures such as pool houses or storage rooms, and additions to existing structures, and

WHEREAS, the Council is concerned that such conversions or additions have the potential to create health and safety issues for the users of said space, particularly with regard to the ability of emergency responders to immediately identify said spaces as being used for residential purposes, and

WHEREAS, the Council understands that certain amendments to the Land Development Code could improve this situation,

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: The Council requests, pursuant to Kentucky Revised Statutes Section 100.211(2), that the Louisville Metro Planning Commission, with the support and advice of the Department of Codes and Regulations, Division of Planning and Design Services, consider any necessary amendments to the definition of “dwelling” that could result in a better ability to regulate and identify spaces that are converted or created for additional residential space as described herein, hold a public hearing and make a recommendation on any revisions or alternative definitions to address the problem described herein.

Section II: The Council further requests, pursuant to Kentucky Revised Statutes Section 100.211(2) that the Louisville Metro Planning Commission, with the support and advice of the Department of Codes and Regulations, Division of Planning and Design Services, consider the following revision to the current definition of “dwelling unit,” contained in Chapter 1 of the Land Development Code, hold a public hearing, and make a recommendation on said revision or propose an alternative definition to the Council.

The proposed definition of “dwelling unit” is as follows:

DWELLING UNIT. Either a single room or two or more connected rooms sold, ~~or~~ leased or used as a unit and intended for occupancy for no less than thirty (30) consecutive days or more by one family, and which at a minimum contains cooking, toilet, sleeping and/or bathing facilities which are accessed independently from any similar such facilities in the same building. This term does not include hotel or motel rooms, extended stay lodging facilities, nursing home rooms, or assisted living units. This shall include any structure,

freestanding or attached to another wall. Any such structure shall also have a separate address.

SECTION III: This Resolution shall take effect upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

Jim King
President of the Council

Jerry Abramson
Mayor

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

By: _____